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HOUSE BILL 577

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Luciano "Lucky" Varela

AN ACT

RELATING TO HIGHER EDUCATION; AUTHORIZING A STATE UNIVERSITY TO ACQUIRE PROPERTY OF THE COLLEGE OF SANTA FE; PROVIDING CONDITIONS; REQUIRING PROPOSALS FOR SUCH ACQUISITION; CREATING AN AD HOC COMMITTEE TO REVIEW PROPOSALS; APPROVING THE ESTABLISHMENT OF A CAMPUS OF A STATE UNIVERSITY AT THE SITE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 21, Article 3 NMSA 1978 is enacted to read:

"[NEW MATERIAL] ACQUISITION OF COLLEGE OF SANTA FE--
CONDITIONS--PROPOSALS--AD HOC COMMITTEE.--

A. Notwithstanding the provisions of Section 21-1-26.9 NMSA 1978 and as provided in this section, the board of regents of a state university selected by the higher education ad hoc committee may acquire in whole the real and

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1 tangible and intangible personal property that makes up the
2 college of Santa Fe, and, when the acquisition is completed,
3 the state university is authorized to establish a campus of
4 that university at the college of Santa Fe site, contingent on
5 the following:

6 (1) the university shall not assume any debt
7 or liabilities of the college of Santa Fe or the Christian
8 Brothers order;

9 (2) all property shall be conveyed free and
10 clear of any encumbrances or liabilities that could in any way
11 become the responsibility of the university; and

12 (3) the acquisition shall not be final until
13 the agreements related to the acquisition that are to be
14 entered into between the university and the college of Santa
15 Fe, the Christian Brothers order, creditors of the college or
16 other persons have been approved in a timely manner by the
17 attorney general as to legal sufficiency and compliance with
18 the constitution of New Mexico and applicable laws, and the
19 agreements are approved by the state board of finance.

20 B. The higher education department shall accept
21 proposals from any state university that is interested in
22 acquiring the real and tangible and intangible personal
23 property of the college of Santa Fe. The proposals shall
24 include:

25 (1) a detailed description of the financing

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1 package for acquisition;

2 (2) the educational programming and degrees
3 proposed to be offered at the campus;

4 (3) an estimate of the number of students the
5 campus will serve in the near and far term;

6 (4) the estimated revenues for the next five
7 years, including state funding;

8 (5) how the university proposes to work with
9 the region's other public post-secondary educational
10 institutions to mitigate duplication of programs and degrees;
11 and

12 (6) any other information requested by the
13 department.

14 C. The higher education department shall convene an
15 ad hoc committee to evaluate the proposals and select the
16 university to acquire the college of Santa Fe. The committee
17 shall consist of:

18 (1) the secretary of higher education;

19 (2) a representative of the governor;

20 (3) the secretary of finance and
21 administration;

22 (4) the state auditor;

23 (5) the directors of the legislative council
24 service and the legislative finance committee; and

25 (6) the mayor of Santa Fe or the mayor's

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1 designee.

2 D. The higher education department or the ad hoc
3 committee may request reasonable changes to a proposal.

4 E. For the purposes of this section, "college of
5 Santa Fe" includes the Santa Fe campus and its off-campus
6 programs."

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